

## **REMARKS**

In the Office Action dated September 27, 2005, typographical errors in claims 1 and 3 were noted, which have now been corrected.

Claim 5 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner stated the phrase in claim 5 regarding selection of a “plurality of different algorithms for reconstructing the IEGM signal in the blanking interval dependent on the known signal morphology” lacks enablement, because the Examiner stated the specification does not teach the use of any particular algorithm for reconstructing the IEGM signal, and the Examiner stated it would not be obvious to a person of ordinary skill to develop a particular algorithm.

This rejection is respectfully traversed for the following reasons. First, the present specification describes no fewer than five examples of different algorithms that can be used to reconstruct the missing portion of the integrated IEGM signal. These are described at page 7, line 2 through page 8, line 7. These examples are (1) mathematical reconstruction using the instant slope at the starting point of the blanking interval (page 7, lines 2-8), (2) reconstruction using the instantaneous slopes of the intracardiac ER signal at the beginning and end of the blanking interval with linear extrapolations (page 7, lines 9-18), (3) replacement of the missing integrated portion with a constant signal level, that can be equal to the average value of the signal values at the beginning and end of the blanking interval (page 7, lines 19-22), (4) conducting any of the above algorithms using a polynomial approximation rather than a linear approximation (page 7, line 23 – page 8, line 2), and (5) use of stored morphology or signal curves, determined in advance (page 8, lines 2-7).

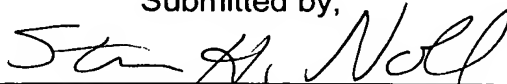
Moreover, any number of further algorithms are well known to those of ordinary skill in the signal processing art. The present invention is not dependent on which reconstruction algorithm is used, but is based on the recognition that such signal reconstruction can be used to advantage to reconstruct the "missing" integrated signal that occurs as a result of sensing, in a multi-chamber pacing system, in one chamber of the heart when a stimulation pulse, and thus a blanking interval, are generated with respect to another chamber of the heart.

Claim 5, therefore, is submitted to be in full compliance with all provisions of Section 112, first paragraph, including the enablement requirement.

Claims 1-12 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting based on claims 1-3 and 6-10 of copending application Serial No. 10/761,707. A Terminal Disclaimer is submitted herewith to overcome this double patenting rejection. A Terminal Disclaimer also has been submitted in copending application 10/761,707, as required by MPEP Section 804.02, Section II, fifth paragraph.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,



(Reg. 28,982)

---

SCHIFF, HARDIN LLP  
**CUSTOMER NO. 26574**  
Patent Department  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: 312/258-5790  
Attorneys for Applicant.